

§ 3217.12

§ 3217.12 What does BLM need to approve my communitization agreement?

For BLM to approve a communitization agreement, you must give us the following information:

- (a) The location of the separate tracts comprising the drilling or spacing unit;
- (b) How you will prorate production or royalties to each separate tract based on total acres involved;
- (c) The name of each tract operator; and
- (d) Provisions for protecting the interests of all parties, including the United States.

§ 3217.13 When does my communitization agreement go into effect?

- (a) Your communitization agreement is effective when BLM approves and signs it.
- (b) Before we approve the agreement:
 - (1) All parties must sign the agreement; and
 - (2)(i) We must determine that the tracts cannot be independently developed; and
 - (ii) That the agreement is in the public interest.

§ 3217.14 When will BLM approve my drilling or development contract?

BLM may approve a drilling or development contract when:

- (a) One or more geothermal lessees enter into the contract with one or more persons; or
- (b) Lessees need the contract for regional exploration of geothermal resources;
- (c) BLM has coordinated the review of the proposed contract with appropriate state agencies; and
- (d) BLM determines that approval best serves or is necessary for the conservation of natural resources, public convenience or necessity, or the interests of the United States.

§ 3217.15 What does BLM need to approve my drilling or development contract?

For BLM to approve your drilling or development contract, you must send us:

43 CFR Ch. II (10–1–11 Edition)

- (a) The contract and a statement of why you need it;
- (b) A statement of all interests held by the contracting parties in that geothermal area or field;
- (c) The type of operations and schedule set by the contract;
- (d) A statement that the contract will not violate Federal antitrust laws by concentrating control over the production or sale of geothermal resources; and
- (e) Any other information we may require to make a decision about the contract or to attach conditions of approval.

Subpart 3250—Exploration Operations—General

§ 3250.10 When do the exploration operations regulations apply?

- (a) The exploration operations regulations contained in this subpart and subparts 3251 through 3256 apply to geothermal exploration operations:
 - (1) On BLM-administered public lands, whether or not they are leased for geothermal resources; and
 - (2) On lands whose surface is managed by another Federal agency, where BLM has leased the subsurface geothermal resources and the lease operator wishes to conduct exploration. In this case, we will consult with the surface managing agency regarding surface use and reclamation requirements before we approve the exploration operations.
- (b) These regulations do not apply to:
 - (1) Unleased land administered by another Federal agency;
 - (2) Unleased geothermal resources whose surface land is managed by another Federal agency;
 - (3) Privately owned land; or
 - (4) Casual use activities.

§ 3250.11 May I conduct exploration operations on my lease, someone else's lease, or unleased land?

- (a) You may request BLM approval to explore any BLM-managed public lands open to geothermal leasing, even if the lands are leased to another person. A BLM-approved exploration permit does not give you exclusive rights.
- (b) If you wish to conduct operations on your lease, you may do so after we